

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2017

Coram

The Honourable Mr. Justice D. KRISHNA KUMAR

S.A.No.428 of 2017
and
CMP No.10522 of 2017

R. Narasimhan ... Appellant/Appellant/Defendant

vs.

Mrs.Shanthi Respondent/Respondent/Plaintiff

Appeal filed under Section 100 of Civil Procedure Code against the judgment and decree in A.S.No.114 of 2013 dated 26.11.2014 on the file of the learned I Additional Judge, City Civil Court at Chennai, as confirmed by the judgment and decree dated 20.06.2012 made in O.S.No.1245 of 2008 on the file of V Assistant Judge, City Civil Court, Chennai.

For Petitioner : Mr.S. Annamalai

For Respondent : Mr.G. Prabhakar

JUDGMENT

When the second appeal is taken up for final disposal, both the parties have filed a joint compromise memo dated 08.09.2017, duly signed by the petitioner and the respondent along with their respective counsel.

2. Both the parties are present. Their identities have been verified and they accepted the contents in the joint compromise memo as true and genuine. As per the terms and conditions of the joint compromise memo, at the time of last payment of the conditional amount, the respondent shall execute the release deed in favour of the appellant. The contents of the Joint Compromise Memo reads as follows:

JOINT COMPROMISE MEMO

The Parties respectfully submit as follows:

The Respondent has filed O.S.No.1245 of

2008 before the V Assistant City Civil Court at Chennai against the Appellant herein for her husband half share in the suit schedule property. The said suit was decreed on 20.06.2012 against which, the Appellant herein preferred the Appeal in A.S.No.114 of 2013 before the I Additional City Civil Court at Chennai. The said Appeal was dismissed on 26.11.2014. Hence, the Appellant herein preferred the above said Second Appeal No.428 of 2016 before this Hon'ble Court. Further, the Appellant herein offered a settlement in the Admission stage, hence the Respondent agreed for the settlement as follows:-

The Respondent agreed to receive a sum of Rs.45,00,000/- (Rupees Forty Five Lakhs only) thereafter release her half share in the Schedule property in favour of the Appellant.

The Appellant herein agreed and undertake to pay a sum of Rs.20,00,000/- within two months from this day and further 20,00,000/- within four months from this day and further amount a sum of Rs.5,00,000/- within the six months from the date of payment of the above said a sum of Rs.40,00,000/-, otherwise the lower court orders may be confirmed.

In the above said circumstances, it is therefore, prayed that this Hon'ble Court may be pleased to pass further or other orders in the above said S.A.No.428 of 2017 may deem fit in the circumstances and thus render Justice.

3. The Joint Compromise shall form part of the judgment. In view of the joint compromise memo, entered into between the parties, the second appeal is disposed of. No costs. Consequently, connected CMP is closed.

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Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

sr

To

1. The I Additional Judge,
City Civil Court at Chennai.

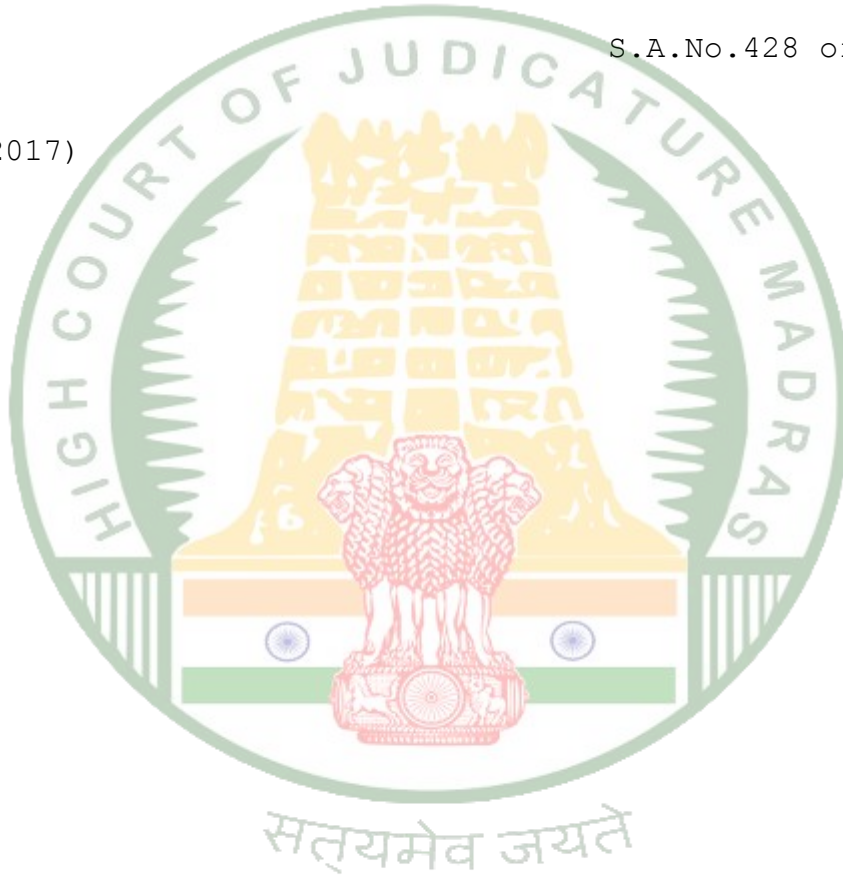
2. V Assistant Judge,
City Civil Court, Chennai.

+lcc to Mr.S.Annamalai, Advocate SR.No.65551

+lcc to Mr.G.Prabhakar, Advocate SR.No.65541

S.A.No.428 of 2017

SS (CO)
GN(04/10/2017)



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